REMARKS

An Office Action was mailed October 9, 2009. This response is timely. Any fee due with this paper, including any necessary extension fees, may be charged on Deposit Account 50-1290.

Summary

Claims 1, 2, 4-7, 9, and 11-20 are being examined, of which claims 1, 4, 5, 12, and 13 are the independent claims.

By the foregoing, claims 1, 4, 6, 7, and 11-13 are amended. No new matter has been added.

Rejection under 35 U.S.C. §103(a)

Claims 1, 2, 4-6, and 11-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,835,087 to Herz in view of U.S. Patent No. 5,964,664 to Ebisawa and U.S. Patent Publication 2002/0068525 to Brown. Claims 7 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Herz, Ebisawa, in view of 6,385,596 to Wiser. The rejections are respectfully traversed.

Independent claim 1 now recites the steps of:

"   (i) generating a table of information linking addresses in the advertising information server for the advertising information to the respective insertion locations of the advertising information;

(j) making a judgment whether or not the insertion location is a position for inserting advertisement information;

(k) positioning the advertisement information on an affirmative judgment."

Independent claims 4, 5, 12, and 13 now recite that

a table of information links addresses in the advertising information server for the advertising information to the respective insertion locations of the advertising information, a judgment is made whether or not the insertion location is a position for

inserting advertisement information; and positioning the advertisement information on an affirmative judgment.

Therein, advertisement information is obtained from the advertising agency server 5 based on the game date G1 through Gn comprising the header, as illustrated in Fig. 6, that indicates that the advertisements may be inserted and the advertisement information is displayed.

Fig. 7 of the present application is a flowchart illustrating advertising operations in the event that a game is activated at a user client terminal. 12:6-9; corresponding to ¶0048 et al. As illustrated by the flowchart, in step S6 a table of information indicating addresses in the main data storage 14 for advertisement data and the position of the advertisement target are generated.
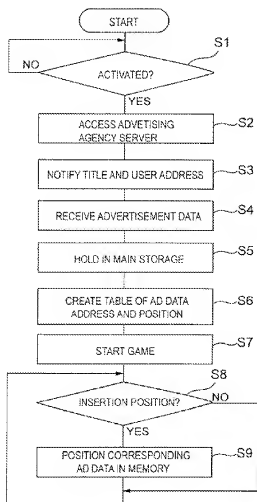

FIG. 7

When a game is started in step S7, then, in step S8, judgment is made whether or not the position is the position for inserting advertisement information. When the judgment is "YES", then, in step S9, the corresponding advertisement data is positioned at the corresponding position in the memory.

Therein, the table of information generated in step S6 is critical in maintaining the correspondence between the advertising information server and the insertion positions. As the specification continues that the once the game starts, in subsequent step S8, a judgment is made whether or not the position is the position suitable for inserting the advertisement information. As shown Fig. 7, when the position is indeed the position suitable for inserting the advertisement information, i.e., YES, the advertisement data is positioned at the corresponding position in the memory. When the position is not the position suitable for inserting the advertisement information, i.e., NO, the judgment requires a reconsideration of the position, as illustrated in Fig. 7.

The combinations of Herz, Ebisawa, and Brown or Wiser fail to teach, disclose, or suggest such a feature. The combination of Herz, Ebisawa, and Brown (emphasis Herz) teaches a system that fails to make a judgment in regard to the location of the information positioning in an executing game. In contrast, the combination of Herz, Ebisawa, and Brown (emphasis Herz) relies on user interest to generate a user-customized rank ordered listing of target objects most likely to be of interest to each user. Herz, abstract and 5:14 et al.

The direct application is for a rank-ordered email of news stories (55:45 et al.) or for browsing by including a hierarchical tree (64:05 et al.). However, in each instance the combination of Herz, Ebisawa, and Brown (emphasis Herz) misses making a judgment whether or not the insertion location is a position for inserting advertisement information rather just a rank ordering. Brown and Ebisawa fail to fill the gap or permit one skilled in the art to adapt the reference to a different outcome.

Accordingly, the Examiner is respectfully requested to withdraw the rejections.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, including any necessary extension fees, may be charged on Deposit Account 50-1290. A refund may be made to Deposit Account 50-1290.

Respectfully submitted,

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